

Your Local Store May Serve as a Recruitment Center . . .

- Tobacco advertisements effectively target nonsmoking youth, contrary to industry claims that their advertisements are only for adult smokers and adult non-smokers.¹
- Nearly two-thirds of stores that sell tobacco products participate in industry marketing programs.²
- 92 percent of retail stores contain at least one tobacco branded marketing item, such as an ad or display.³
- The typical retail store has more than 12 tobacco promotional items on display.⁴
- Retailers were paid a combined \$321.2 million by the tobacco industry in 2013 to sell and display tobacco products in accordance with tobacco industry design.⁵



... for New Youth Smokers:

- The U.S. Surgeon General has concluded that tobacco marketing (including at the point of sale) causes youth to begin smoking.⁶
 - Studies have found a direct, positive relationship between tobacco advertising and likelihood of youth smoking, regardless of youth impressionability.⁷
 - Exposure to retail marketing distorts youth perceptions of availability, use, and popularity of cigarettes, and increases the likelihood of smoking initiation.⁸
 - The odds of smoking initiation are notably higher for youth who regularly visit stores where point-of-sale marketing is prevalent.⁹
- Store surveys of tobacco retailers reveal that in store tobacco marketing is attractive to youth:
 - More than 20 percent of stores have cigarette advertisements at children's eye level.¹⁰
 - The majority of tobacco retailers carry products particularly appealing and accessible to youth, such as flavored tobacco products, and inexpensive singles of products with no minimum package size requirement (like cigarillos, e-cigarettes).¹¹
- Youth are highly exposed to tobacco marketing in the retail environment.
 - The majority of youth visit convenience stores at least once per week.¹²
 - Young people are nearly twice as likely as adults to recall tobacco advertising. In fact, one survey found that while only 25 percent of adults recalled seeing tobacco advertising the past 2 weeks, 45 percent of youth recalled seeing advertising.¹³
- Stores popular with middle school students contained twice as much shelf space for Marlboro, Camel, and Newport cigarettes – the cigarette brands most popular with teens – in comparison to other stores in the same community.¹⁴

References

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- ¹ See Joseph R. DiFranza et al., *Tobacco Promotion and the Initiation of Tobacco Use: Assessing the Evidence for Causality*, 117 PEDIATRICS e1237 (2006), available at <http://pediatrics.aappublications.org/cgi/content/abstract/117/6/e1237?rss=1>; Tushar Singh et al., *Tobacco Use among Middle and High School Students — United States, 2011–2015*, 65 MORB. MORTAL. WKLY. REP. 361, 363 (2016) (reporting that 4.7 million middle and high school students were current tobacco users in 2015).
- ² Ellen C. Feighery et al., *Retailer Participation in Cigarette Company Incentive Programs is Related to Increased Levels of Cigarette Advertising and Cheaper Cigarette Prices in Stores*, 38 PREVENTIVE MED. 876, 879 (2004).
- ³ CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC), *Point-of-purchase tobacco environments and variation by store type--United States, 1999*, 51 MMWR MORB. MORTAL. WKLY. REP. 184–187 (2002).
- ⁴ Feighery, *supra* note 2, at 882.
- ⁵ FED. TRADE COMM'N, CIGARETTE REPORT FOR 2013, at 3 (2016); FED. TRADE COMM'N, SMOKELESS TOBACCO REPORT FOR 2013, at 4 (2016).
- ⁶ U.S. DEP'T OF HEALTH AND HUMAN SERVICES, OFFICE OF THE SURGEON GENERAL, PREVENTING TOBACCO USE AMONG YOUTH AND YOUNG ADULTS: A REPORT OF THE SURGEON GENERAL 508 (2012).
- ⁷ Reiner Hanewinkel et al., *Cigarette Advertising and Adolescent Smoking*, 38 AM. J. PREVENTATIVE MED. 359, 366 (2010), available at <http://www.cfah.org/hbns/archives/viewSupportDoc.cfm?supportingDocID=897>. (“[T]he association between tobacco advertising and youth smoking is specific to tobacco advertising content and not simply a marker of an adolescent who is generally receptive to marketing.”).
- ⁸ See U.S. DEP'T OF HEALTH AND HUMAN SERVICES, OFFICE OF THE SURGEON GENERAL, *supra* note 6 at 851–852; L. Henriksen et al., *Reaching youth at the point of sale: cigarette marketing is more prevalent in stores where adolescents shop frequently*, 13 TOB. CONTROL 315–318 (2004); Lisa Henriksen et al., *Effects on Youth of Exposure to Retail Tobacco Advertising*, 32 J. APPL. SOC. PSYCHOL. 1771–1789 (2002).
- ⁹ Lisa Henrikson et al., *A Longitudinal Study of Exposure to Retail Cigarette Advertising and Smoking Initiation*, 126 PEDIATRICS 232, 236 (2010), available at <http://pediatrics.aappublications.org/content/126/2/232.full.html>, (finding youth between 11 and 14 years old who regularly visited stores with point-of-sale tobacco ads were at least twice as likely to try smoking as those who made less frequent visits).
- ¹⁰ CENTER FOR PUBLIC HEALTH SYSTEMS SCIENCE. *Point-of-Sale Report to the Nation: Realizing the Power of States and Communities to Change the Tobacco Retail and Policy Landscape*. St. Louis, MO: Center for Public Health Systems Science at the Brown School at Washington University in St. Louis and the National Cancer Institute, State and Community Tobacco Control Research Initiative, 9 (2016) (reporting that 20 percent of stores surveyed had cigarette advertisements within 3 feet of the floor).
- ¹¹ *Id.*, (reporting that more than 80 percent of stores surveyed had flavored cigarillos available, nearly 70 percent had flavored smokeless tobacco available, and 80, 70 and 53 percent of stores carried singles of cigarillos, e-cigarettes, and large cigars respectively).
- ¹² U.S. DEP'T OF HEALTH AND HUMAN SERVICES, OFFICE OF THE SURGEON GENERAL, PREVENTING TOBACCO USE AMONG YOUTH AND YOUNG ADULTS: A REPORT OF THE SURGEON GENERAL 543 (2012), <http://www.ncbi.nlm.nih.gov/books/NBK99237/> (last visited Jun 29, 2016) (reporting findings from 2001-2005 that 70% of youth shop weekly at c-stores); Ashley Sanders-Jackson et al., *Convenience store visits by US adolescents: Rationale for healthier retail environments*, 34 HEALTH PLACE 63–66, 63 (2015) (finding that nearly half of adolescents in a nationally representative sample shopped weekly at c-stores).
- ¹³ CAMPAIGN FOR TOBACCO FREE KIDS, “Tobacco Company Marketing to Kids,” (2012) available at <https://www.tobaccofreekids.org/research/factsheets/pdf/0008.pdf> (last visited October 26, 2016).
- ¹⁴ Lisa Henriksen et al., *supra* note 8, at 315 (evaluating California retailers).

